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July 25, 2008

**By Hand**

Hon. Richard J. Holwell, U.S.D.J.  
U.S. District Court  
Southern District of New York  
United States Courthouse  
500 Pearl Street  
New York, NY 10007

Re: Felipe v. Target Corp. and Kingsbridge Associates LLC  
Case No. 1:08-cv-4317  
Motion to remand

Dear Judge Holwell:

Per your Honor's directive at the oral argument of the plaintiff's motion to remand, we are providing you with the documentation regarding the ownership of the property where the plaintiff's accident occurred. Enclosed is the following:

1. New York City Department of Finance, Office of the City Register property information indicates that on December 12, 2002 the Target Corporation deeded the ownership of the property in question, Block 3245 Lot 51, 40 W. 225<sup>th</sup> St. Bronx, N.Y. to Kingsbridge Associates LLC. Since that time Kingsbridge has entered into several transactions pertaining to the property, including mortgages with North Fork Bank and Citigroup Global Markets.

2. A search of the New York City Department of Finance, Office of the City Register by Party Name indicates that Target Corporation does not own any property in Bronx County. There some registered agreements pertaining to a Bronx property on River Avenue, not the accident location in this case. Another search on [www.PropertyShark.com](http://www.PropertyShark.com) for Target Corporation indicates that the only property owned by Target is a commercial condominium in Queens County.

The Operation and Easement Agreement between Target and Kingsbridge Associates contains many provisions about maintenance and repair of the accident

location. Discovery will reveal the extent of the responsibility between the two parties. However, with respect to the issue of diversity jurisdiction before this court, there is simply no diversity of jurisdiction in this case. The plaintiff and the defendant Kingsbridge are both New York residents. Furthermore, as we assert in our motion, with 59 stores and a distribution center in New York, along with hundreds if not thousands of employees who are New York State residents, it is hard to fathom how Target Corporation can claim to suffer "local prejudice" in a New York State Court.

Thank you for Your Honor's attention to this matter.

Respectfully submitted,



Michael J. Asta

Cc: Sal F. DeLuca, Esq.  
MJA/mg

New York City Department of Finance  
Office of the City Register

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# Detailed Document Information

DOCUMENT ID:	FT_2830008951483	CRFN:	N/A
# of PAGES:	5	REEL-PAGE:	2103-118
DOC. TYPE:	DEED	FILE NUMBER:	N/A
DOC. DATE:	12/12/2002	RECORDED / FILED:	12/31/2002
DOC. AMOUNT:	\$0.00	BOROUGH:	BRONX
MESSAGE:	N/A	RPTT #:	08614

## PARTY 1

NAME	ADDRESS 1	ADDRESS 2	CITY	S
TARGET CORPORATION	1000 NICOLLET MALL TPN-12E		MINNEAPOLIS	

## PARTY 2

NAME	ADDRESS 1	ADDRESS 2	CITY	S
KINGSBRIDGE ASSOCIATES	99 POWERHOUSE ROAD		ROSLYN HEIGHTS	

## PARTY 3/Other

NAME	ADDRESS 1	ADDRESS 2	CITY	S
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## PARCELS

BOROUGH	BLOCK	LOT	PARTIAL	PROPERTY TYPE	EASEMENT	AIR RIGHTS	SUBTERRANEAN RIGHTS	PROPERTY ADDRESS
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BRONX 3245 51 ENTIRE LOT PRE-ACRIS N N N

REFERENCES							REMARKS
CRFN	DOCUMENT ID	BOROUGH	YEAR	REEL	PAGE	FILE NBR	

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**Block:** 3245  
**Lot:** 51  
**Date Range:**  
Current Date  
**Document  
Class:** All  
Document Cla

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<a href="#">DET</a> <a href="#">IMG</a>		2004000357811	51	PARTIAL LOT	6/16/2004 8:34:18 AM	SUBORDINATION OF MORTGAGE	14	NORTH FORK BANK	MARSHALLS OF MA, INC		✓
<a href="#">DET</a> <a href="#">IMG</a>		2004000357810	51	PARTIAL LOT	6/16/2004 8:34:17 AM	MEMORANDUM OF LEASE	13	KINGSBRIDGE ASSOCIATES, LLC	MARSHALLS OF MA, INC		
<a href="#">DET</a> <a href="#">IMG</a>		2004000357809	51	PARTIAL LOT	6/16/2004 8:34:16 AM	ASSIGNMENT OF LEASES AND RENTS	19	NORTH FORK BANK	KINGSBRIDGE ASSOCIATES, LLC		
<a href="#">DET</a> <a href="#">IMG</a>		2004000357808	51	PARTIAL LOT	6/16/2004 8:34:15 AM	MORTGAGE	47	KINGSBRIDGE ASSOCIATES, LLC	NORTH FORK BANK		
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**New York City Department of Finance  
Office of the City Register**

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**Current Search  
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**Date:** To Current Date

**Party Type:** All Parties

**Borough/County:** All Boroughs/Counties

**Document Class:** All Document Classes





















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*River Ave. Property*

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**Property Owned by 'Target Corporation'**

<b>Address (*)</b>	<b>Owner</b>	<b>Building Class</b>	<b>Size</b>	<b>Floors</b>	<b>Sq Ft</b>
8815 Queens Blvd	Target Corporation	R5: Commercial condo	380 x 380	5	548876

**(\*) Link to the Report page if the address is unavailable**

If you just can't find the address, click here.